

PARKS AND CULTURAL AFFAIRS COMMITTEE
OF THE
SUFFOLK COUNTY LEGISLATURE
Minutes

A regular meeting of the Parks and Cultural Affairs Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on August 16, 2006.

MEMBERS PRESENT:

Legislator Lynne C. Nowick, Chairperson
Legislator Vivian Vilorio•Fisher, Vice•Chairperson
Legislator Kate M. Browning
Legislator Jon Cooper
Legislator Cameron Alden

ALSO IN ATTENDANCE:

Ian Barry, Assistant Counsel to the Legislature
Richard K. Baker, Deputy Clerk
Ronald Foley, Commissioner of Parks
Jill Moss, Budget Review Office
Ginny Suhr, Aide to Legislator Vilorio•Fisher
Ronald F. Foley, Commissioner of Parks
Ben Zwirn, Assistant Deputy County Executive
Paul Perillie, Aide to Minority Caucus
Vito Minei, Director of Division of Environmental Quality
Warren Greene, Aide to Legislator Alden
Barbara LoMoriello, Deputy Chief of Staff
Dennis Brown, Assistant County Attorney
Alfred L. D'Isernia
Bill Raab
Louis D. Brida
Edward F. Kaspshak

Mark Wroobel
Johan McConnell
John McConnell
Joe Cavaliere
Joanne Steigerwald
James D. Kelly, Jr.
John L. Cushman
Lou Giordano
Mitchell and Matthew Weygand
Marlyne Weygand
Georgia Maas

MINUTES TAKEN BY:

Diana Kraus, Court Stenographer

MINUTES TRANSCRIBED BY:

Kim Castiglione, Legislative Secretary

(The meeting was called to order at 11:37 AM)

CHAIRPERSON NOWICK:

Could all Legislators please come to the horseshoe? I'd like to start with the Salute to the Flag led by Legislator Cameron Alden.

(Salutation)

CHAIRPERSON NOWICK:

Good morning everybody and welcome to the Parks and Recreation Committee meeting. We'll start with our cards. We have a few speakers that wish to be heard. Alfred L. D'Isernia. And I'm sorry if I mispronounced your name. Please come to the mike, state your name. You have three minutes. On deck is Bill Raab.

MR. D'ISERNIA:

Good morning. Thank you. My name is Al D'Isernia and I've been a resident of Northport, Long Island for the past 27 years. And I've come here this morning to support the Suffolk County Trap and Skeet Range remaining open. I think it's a vital range. It services the shooting community for skeet and trap and the unique event of walk up sporting clays. I believe that the shooters and general public will support this range and I think it should

remain open.

I briefly believe the issue is that people •• folks think that it was closed permanently. It was not. It was closed on a procedural technicality and there are some homes that have been built in the area several years ago and I wish those people well, but I just want to state that as a private person I would like that range to remain open. Thank you very much.

CHAIRPERSON NOWICK:

Thank you. Bill Raab. On deck, Louis D. Brida.

MR. BRIDA:

Good morning. My name is Bill Raab. I'm here in support of the Trap and Skeet Range and my feelings are countered to this resolution 1738•2006.

CHAIRPERSON NOWICK:

You look familiar. Have you been here before?

MR. BRIDA:

Twenty•eight or 30 times, I think. Something like that, yeah.

CHAIRPERSON NOWICK:

Yes.

LEG. VILORIA•FISHER:

Are you kidding? We feel like he's on payroll.

MR. BRIDA:

Well, unfortunately, no. I do this for free. But the range has been open now. It's servicing the shooting community. There are many new homes being put up. If this was such a horrible thing these people would not be investing money and building these homes not expecting them to sell. These people have said •• there has been comments that they were assured that the range would be closed. I don't know who assured them of that. There was no one who could assure them of that.

The range is serving the shooting public. It's the only sporting place range open to the public on the Island. We talked about moving it. If you were to have another facility conveniently located that was turnkey operation and you open the door on that one, I would not hesitate to close the door on this one,

as long as it had the same safeguards and assurances that this one does.

However, it's only going to be a matter of time before either I'm in front of you or my son, who I would have brought today because he wants to shoot, but he's at camp and they are going to the beach and I wasn't going to deprive him of that, would be before this body trying to keep that range from being closed by people who move next to it and then decided that they didn't like it. This has gone on and on everywhere on Long Island and I really hate having to cover this ground over and over again. I'm sure you people are probably pretty sick of seeing my face in front of you, but I'm here.

It's very important to me that this range stay open. The bill as it is written says that the range is not in the public interest and, you know, immediately cease operation. If you were to build another range you would probably expect an outlay of around eight million dollars. You have 7.3 million to remediate the lead on this one if it is no longer a shooting range and passive parkland, plus you have to pay the vendor because you're nullifying his contract. And you're sending a message to everyone who wants to do business with Suffolk County that, well, that contract may not mean anything because we might just change our mind and that's a pretty bad thing to do.

So •• we've also heard from people that they have a hunting license so they are not against shooting. Well, part of the hunter training course is shooting, so they should know what gunfire sounds like and they should know they wouldn't want to build or buy a house next to a range.

That's pretty much all I have to say. I'm not going to waste any more of your time and I want to thank you for giving me this opportunity to speak before you again today.

LEG. VILORIA•FISHER:

It's not a waste of time.

MR. BRIDA:

Oh, I don't believe it is either.

CHAIRPERSON NOWICK:

Thank you. Louis D. Brida and on deck is Edward F. Kaspshak.

MR. BRIDA:

Who did you call?

CHAIRPERSON NOWICK:

I called Louis D. Brida.

MR. BRIDA:

That's me. Yes, my name is Louis Brida. I'm a resident of North Holbrook. I'm also a member of the American Legion. I'm a Second Vice Commander. I'm also a member of the Ronkonkoma Civic Organization and I've been very active in the development of Raynors Park. I wrote letters to Newsday a long time ago and etcetera.

But anyway, we have a problem •• two problems. One is the skateboarding has •• is destroying, literally destroying the park. So much so that some of the skateboarders are older, people that are strong enough to lift up picnic tables and they take the picnic tables up on top of the plateau where the American Legion flag is and where the gazebo is for guest speakers, and they skateboard on this gazebo jumping off on picnic tables and jumping off on cement and there are bricks on bricks, decorative bricks that they are breaking. There are cracks in it because of the skateboards. That is one problem. I think they are putting a skateboarding park in the area so that problem might be solved.

But the bigger problem, we feel, is the graffiti. Now, you have a picture in front of you of Steve Levy cutting the ribbon that Friday morning at 11 o'clock, this past Friday, and all these photographs of the graffiti was taken on that day. I mean, they're on picnic tables. The bottom picture that you have in front of you, it's on a picnic table where mothers take kids and it looks like the walls of a juvenile delinquent bathroom, okay. There's hate crime involved here with the wording that they are using.

These tennis courts on the top right, okay, was just recently put in. There's not even a tennis net on there yet. They haven't put that in. But people have been taking chalk •• the little kids have been writing on that with chalk. Now, the chalk can be taken away easily. But the paintings on the handball courts and on the checkerboard •• this is like indelible ink put in the X and O's where all the checkers are supposed to go. And on •• on the walkways. Something has to be done.

The organizations involved, and there are several, are willing to meet with the police authorities or with the patrol, but we don't know who to call. And we don't know •• if we have a community watch, which a lot of people suggest, what can we do? The nearest precinct is the Fourth Precinct which is, what, four or five miles away. By the time the police would arrive •• unless they were right near the park to begin with.

All right. There is something else, too. The park is supposed to be closed at dusk. Well, I've often drove past there at ten o'clock at night and the gates are wide open. Okay. So I know you can't have one guy traveling to all these parks and you did a great job on a lot of these parks and you are still doing a great job, especially in the Lake Ronkonkoma area where it was neglected for years, but now we're getting some new parks there. And they are putting a brand new playground on the Smithtown Boulevard Park.

You know, it has to be patrolled and we have to have phone numbers to call if we see something. We can't arrest these kids ourselves. We can't take their skateboards away or their paint cans away. And parents have already been yelling at your employees that have been trying to do something. The man •• the men that you have there try to do something. I think that the picnic tables has been washed 100 times already and there's still graffiti on it. You know, they still •• they come back.

And that's all I have to say right now, but I'm willing to meet with any group or whatever and so is the other groups in the area.

CHAIRPERSON NOWICK:

I just wanted to ask you also have you brought this to the attention of •• I believe that ••

LEG. VILORIA•FISHER:

Is your mike on, Lynne?

CHAIRPERSON NOWICK:

Yes. Have you brought this to the attention of your local Legislator, and it's Holbrook, is that John Kennedy or?

MR. BRIDA:

Yes, many times. Joe Caracappa is in the North Holbrook area. And I spoke

to him, I spoke to Mr. Kennedy. I just came from Mr. Lindsay's office. They suggested I come here from Mr. Lindsay's office. And, you know, Steve Levy is aware of it. But there's something that has to be done on the lower level where they have to know a chain of command.

Like, for example, I hate to say this but, you know, when I pulled in there Friday morning there was two giant piles of sand right in the middle of the parking lot. And I said what are these sands doing here? Steve Levy is going to be here in about half an hour. They didn't know that Steve Levy was going to be there in a half hour and these men were working on the park. They were taking up 50% or more of the parking spaces that was blocked by these piles of sand in the parking lot. It was supposed to be a ribbon cutting ceremony. So, they moved the sand.

CHAIRPERSON NOWICK:

Legislator Fisher, did you have a question?

LEG. VILORIA•FISHER:

The same question you had.

CHAIRPERSON NOWICK:

Thank you. Yes, Legislator Alden.

LEG. ALDEN:

One thing on the graffiti and the other type of illegal activities. 911, and that's what the police want you to do and there is a patrol car, not assigned to the park, but in that area that will probably get in there. And later on, the Commissioner of Parks is here, he can give us a number for Park Police because we do have •• I think there's an emergency number and they do have coordination between •• if you hit the 911 that is your safest bet because Suffolk County Police do go on the same frequency and will dispatch to the Park Police. So that's just one suggestion on anything you see happening there. Like if you see kids with paint cans, you know ••

MR. BRIDA:

The skateboarders, by the way, at the American Legion Hall did about \$3,000 worth of damage. They ride up on our roof. We have a tar papered roof and they break all the bubbles in the tar paper and when it rains our hall •• our main hall was ruined, the carpeting, the ceilings, the paint. We had to redo the whole hall. And we did it ourselves, otherwise it would have cost a lot

more than \$3,000.

LEG. ALDEN:

Thank you.

CHAIRPERSON NOWICK:

Thank you. Edward Kaspshak.

MR. KASPSHAK:

Good morning. My name is Edward Kaspshak. I'm a Bay Shore resident. I'm here in support of keeping the range open. The last time I was here I spoke about being disabled and how this range is accessible for disabled people. Someone on the opposing side made a statement that I was misinformed or a liar. Brookhaven range has disabled bathrooms and disabled parking places. The range is not disabled friendly. They don't have golf carts that I can get around on. That puts that out of the thing. There are no other ranges to shoot sporting clays other than this one. Brookhaven does not have it. Calverton does not have it. None of the other ranges have it. So that would make that person misinformed or a liar.

Another issue is I've been contacted, as I said, if the range closed I would get in touch with the ACLU after the last meeting. I contacted the ACLU. Under the Americans Disabilities Act, which this falls under, the unfortunate thing about it is that they can't do anything unless you close the range. So there's no preemptive medicine that they can take on my behalf to keep you from closing the range.

I've been contacted by six law firms willing to take the case if the range is closed. Consider the amount of legal expenses the County is going to incur because I will pursue this because I'm disabled and because I'm going to be denied as a disabled person. It's a very important issue to me, not as a gun person, but as a disabled person, which is more important. There are plenty of disabled vets out there that would enjoy doing this. I've talked to them. They've given me a list of people I should get in touch with and tell them what's going on. I mean, I certainly as a Legislator would not want my name on a bill that's passed hindering the handicapped.

Another issue. Everybody's talking about quality of life. In 1952 my grandmother bought ten acres just off of William Floyd Parkway. We still own six of them. Last Saturday we had a family reunion. During the course of

the afternoon the conversations were muted to the point that it was annoying by the airplanes taking off from Brookhaven Airport. The gliders that are being towed •• the noise, I mean, that's a problem. You talk about noise from a shotgun blast? This is ten times worse.

When you're on the range, and I've been on the range several times, these same airplanes fly over this range, fly over the houses that these people are complaining about the noise. The planes are making the same noise. They are loud. They are over the supposed 65 db that was proposed by the town.

There are a lot of issues that they are not complaining about that are the same as the issues that they are complaining about this range. The noise being one of the them, the traffic being others. There is a person that lives across the street from the range. When I drove by ••

CHAIRPERSON NOWICK:

Could you just wrap up, please? Your time is up.

MR. KASPSHAK:

Yeah. It appears they have a construction company operating out of their yard. The trucks are all behind fences. Tell me at five or six o'clock in the morning when all of these diesel trucks start up it is not offensive to the neighbors. Thank you for your time.

CHAIRPERSON NOWICK:

You're welcome. Thank you. Mark Wroobel and on deck is Johan McConnell.

MR. WROOBEL:

Good morning members of the Legislature. As I've been here before, being here again today to entertain this resolution, I'm doing almost five years of continues hard work and well informed research that the current and past Legislators have done in granting the reopening of this range.

This resolution is not only unfair to the residents of Suffolk County, but many patrons of the range, but also to myself as the vendor who has exerted extenuous hard labor and well earned money into this facility. It seems that we see the same faces at every meeting, a handful of neighbors in a community with nearly 200 plus homes, yet I haven't seen hundreds of new faces •• excuse me, I have seen hundreds of new faces in the short time I've opened at the range that enjoy the facility and many old timers that are

appreciative of its re•existence.

The numbers speak for themselves. Both News 12 and Suffolk Life conducted polls to support the reopening of the range. The results in favor of the facility were overwhelming, one poll even citing 86.8% in favor of the range reopening. That was the Suffolk Life poll.

Why should the trap and skeet range have to close or move when it has been there for decades before homes were even built in the surrounding area. In years of coming to the meetings regarding the range not one member of the opposition has been able to produce a single written document from any member of the County, of the Legislator or any official for that matter, stating the range would remain closed or relocated like so many here have testified. The only piece of legislation was by former Legislator Fred Towle, who attempted to have the range completely closed and that legislation failed. All I've heard is hearsay from other members of the opposition who state they have heard the range was going to be closed or relocated.

If life around the deep rooted range is so intolerable, then perhaps the neighbors should be looking for a new location for themselves, not the range, especially since so many were familiar with the functions of the range since they bought while the range was in full operation with the previous vendor. The fight shouldn't be against the County or me, but it should be against the developers and real estate brokers that convinced and duped these neighbors that the range would remain closed and fatten their own pockets. Thank you.

CHAIRPERSON NOWICK:

Thank you. Question by Legislator Browning.

LEG. BROWNING:

Hi. It's nice to see you again.

MR. WROOBEL:

And you, too. Thank you.

LEG. BROWNING:

I do want to ask about the fence. I know we talked about it a few weeks ago. When are you planning to finish that fence to secure the area so children can't get in there?

MR. WROOBEL:

I believe that would be something you would have to ask the County Parks Departments as they're handling that part, but I believe they have already started that project and they have already extended it quite a bit in the beginning, so we haven't had any problems whatsoever of anybody attempting to come into the range in an area they shouldn't as opposed to, you know, the main opening.

LEG. BROWNING:

Okay, at this time. Trees. Have you had to cut trees and vegetation?

MR. WROOBEL:

We have done no cutting of any trees whatsoever.

LEG. BROWNING:

You have cut no trees.

MR. WROOBEL:

I have not cut one tree.

LEG. BROWNING:

Okay. Thank you.

MR. WROOBEL:

You're welcome.

CHAIRPERSON NOWICK:

Thank you. Johan McConnell.

MS. McCONNELL:

Good morning. Johan McConnell, President of the South Yaphank Civic Association. Again, I have appeared numerous times before the committee.

One of the couple of points I'd like to bring up was this property was originally taken by condemnation to protect the groundwater by the County. It is in the Carmens River watershed and is a designated critical environmental area. So the purpose of having Southaven Park originally was to protect the groundwater.

The other point I want to bring up is on your resolutions. I know there's a lot of discussion about resolutions were passed. This specific resolution that I'd like to speak on is IR 2244A, which was an approval for \$450,000 that was approved in December of 2004. This was a bond resolution authorizing the reissuance of \$450,000 of bonds to finance the cost of noise moderation. Every one of your resolutions starts with that, to finance noise moderation.

The history, a little bit, of how this came about. In August 2002 {Hansen} Consultant report •• {Hansen} Consultant prepared a report for the County concerning the noise levels at the Trap and Skeet. The report stated that sound exposure to the nearest neighborhooding properties as high, often exceeding the limits set forth in both Suffolk County and Brookhaven Town Codes.

August 2004, {LK McCloon} Associates did an analysis of noise and lead mitigation at the trap and skeet. The study indicated that a wall placed along the back of the trap and skeet would help to mitigate noise impact to the community from the trap and skeet but would have limited affect on noise generated by sporting place. The wall suggested would be 17 feet high by 1,850 feet long.

In November 2004, Parks goes before the CEQ with an environmental assessment form for the noise wall. On December 15, 2004, Parks makes an application to the Central Pine Barrens Commission to build a noise wall of 17 feet, 1,850 feet long, costing approximately \$395,000. The Commission rules that the project constitutes development. December 21, 2004, resolution 2244A is approved for \$450,000. On January 19th Parks withdraws its application before the Pine Barrens Commission.

As of August 15, 2006, no noise wall or barrier has been built, and yet every one of the resolutions passed by the Legislators specifically states that it is to finance noise moderation. And as of August 15th, no noise moderation has taken place at the trap and skeet.

Another thing that I would like to address is that we continually hear the amount named of \$7.3 million. If you close the range it would cost \$7.3 million to mitigate the lead on the property.

CHAIRPERSON NOWICK:

Ms. McConnell, can you wrap up, please?

MS. McCONNELL:

Yes. This is my last statement. That \$7.3 million as stated in the {Pedicore} report is the amount it would cost the County to mitigate hazardous waste. It would have to be taken to a hazardous waste site and that's why the cost is so much higher. So to say that there's no problems with lead contamination on the property and then quote a price of \$7.3 million for hazardous waste removal seems a little contradictory in terms. Thank you.

LEG. ALDEN:

I have a question.

CHAIRPERSON NOWICK:

Legislator Alden.

LEG. ALDEN:

Hi. Thanks for coming down again. Do you currently have a lawsuit pending against the County?

MS. McCONNELL:

I'm a member on the plaintiff •• my civic association is a plaintiff on the lawsuit, yes.

LEG. ALDEN:

And you're seeking injunctive relief and ••

MS. McCONNELL:

I'm not exactly sure what they are seeking on it.

LEG. ALDEN:

Any damages that you know?

MS. McCONNELL:

No.

LEG. ALDEN:

Are you seeking monetary damages?

MS. McCONNELL:

Not that I'm aware of.

LEG. ALDEN:

Okay. But you're not real sure, though.

MS. McCONNELL:

As you well know, I'm not a lawyer, and as a lawyer you probably would have a better understanding. I have read the petition. I do not see any monetary money mentioned at all in the petition at this time. The petition is based upon the fact that it is located in the core preservation area of the Pine Barrens. The Pine Barrens Society considers it redevelopment of a reuse of a facility. I do not see any monetary numbers mentioned.

LEG. ALDEN:

Okay. I just •• you know, if you knew. Okay. Thanks. And through the Chair, just a little later after we get through the cards, I see we do have somebody here from the County Attorney's Office and there would be a whole bunch of things I would like to pursue with them if and when we get through the public portion.

CHAIRPERSON NOWICK:

Right. I would be interested to know about the lawsuit myself and who the plaintiff is. The next person we have is John McConnell and on deck is Joe Cavaliere.

MR. McCONNELL:

Hi. Good morning. John McConnell, Yaphank. I would like to ask very brief, one question. Is the vendor in full compliance with Federal, State and local ordinance or laws? That's all I have to say. Thank you. I would like an answer. Thank you.

THE AUDIENCE:

Yes.

MR. McCONNELL:

Could we have that on record he said yes?

COURT STENOGRAPHER:

Yes.

LEG. VILORIA•FISHER:

When the Commissioner comes up ••

MR. McCONNELL:

Have it on record. Thank you.

CHAIRPERSON NOWICK:

Joe Cavalieri.

MR. CAVALIERI:

Good morning. I'm Joe Cavalieri, Yaphank. I'm against the destruction of a beautiful neighborhood and park from noise and lead pollution. If the noise pollution were from a fire siren, a police heliport, a subway train or some other valid source that benefitted the entire community, I could rationalize that. But to destroy a neighborhood and park just to shoot at flying clay objects borders on the ridiculous.

Opening a shooting range in the middle of residential area should be a politician's nightmare. What exactly is the priority here, the NRA and SAFE or the hard working families that struggle to own a home and raise a family. Why would any politician on either side of the aisle support this environmental disaster?

When we bought our homes the County and town noise were both in effect and were supposed to protect our community. If my dog were consistently barking or my stereo was blasting at a late night party the police would be at my door in an instant and I would receive a summons. Yet these two activities are far less intrusive than the shotgun blast, yet the range violates the noise law every day. Shooting ranges belong in an isolated area or they should not exist at all. They are not pertinent to survival, but raising children and living in your house is.

This is 2006, not 1946, and Suffolk County and Brookhaven Township have a responsibility to put housing and families ahead of the hobby of shooting guns. It's just that clear•cut. This debate boils down to guns, noise and lead pollution versus homes, families and children. It seems like a no•brainer to me.

The parkland should be used for more family friendly activities which serve more than a very narrow segment of the population, ones that are environmentally friendly and that produce more than a mere \$29,000 a year

in revenue. The shooters had not used this range for over five years and they all survived. They simply drove over to other nearby ranges like Ridge. The real truth is that the shooters and the gun range owners supported by the NRA have absolutely no respect for anyone's families or homes. They want to shoot their guns at any cost and can care less who they trample over to accomplish that goal. Otherwise, they would cease fire and work with Dick Amper and Kate Browning to relocate this monstrosity.

Please remember that this is not a second amendment issue. Nobody is taking anyone's guns away. Don't let the NRA intimidate you when you vote. The NRA has their entire nationwide membership aware of this issue in Yaphank. The NRA website has flagged the Suffolk County gun range as an action alert, thus having infinite funding and political power. We, on the other hand, are just homeowners.

The NRA on the website, NRA.org, portrays Kate Browning as a thorn in their side. I quote from their website as of 8/16, today. "Action alert. Suffolk County Trap and Skeet Range still in jeopardy. Legislator Kate" ••

CHAIRPERSON NOWICK:

Could you wrap up, please? Your time is up.

MR. CAVALIERE:

Can I just read the rest of the sentence?

CHAIRPERSON NOWICK:

Yes. That's wrapping up.

MR. CAVALIERE:

"Legislator Kate Browning has not given up her fight to permanently close down the Suffolk County Trap and Skeet Range, which is code four. We haven't squashed a resolution yet". Thank you for the time. I didn't finish, but that's it.

LEG. ALDEN:

I have a question.

CHAIRPERSON NOWICK:

We have a question by Legislator Alden.

LEG. ALDEN:

And I apologize, I know you said it the last time you were here. Where do you live?

MR. CAVALIERE:

Right off Gerard Road on Woodfield Terrace.

LEG. ALDEN:

How far is that away from ••

MR. CAVALIERE:

I guess about eighth of a mile to three•eighths of a mile.

LEG. ALDEN:

Are you party to the lawsuit also?

MR. CAVALIERI:

I'm part of the Civic Association but I mean I don't, you know, I'm not part •• I'm not a lawyer or anything like that, so I, you know, I have not read the lawsuit.

LEG. ALDEN:

Okay. Then just one other question. I didn't know the answer to this. Where you live, are you hooked up to a sewer district?

MR. CAVALIERI:

No, it's not a sewer.

LEG. ALDEN:

You have cesspools?

MR. CAVALIERI:

Yes.

LEG. ALDEN:

Okay. Thank you.

CHAIRPERSON NOWICK:

The lawsuit that you talk about, it is the Civic Association that is bringing the

lawsuit?

MR. CAVALIERI:

Well, no, Dick Amper filed it. I don't know the logistics or the intricacies of the lawsuit itself. I know the lawsuit was filed but I don't have, you know, I don't know the details of it.

CHAIRPERSON NOWICK:

Thank you. Just as aside also, I wanted to mention that today I see sitting in our audience, and I'm very proud to have appointed Miles Borden who is a member of the Board of Trustees of Parks, Recreation and Conservation. It's nice to see you, Mr. Bordon, and thank you for coming and taking your time to listen.

LEG. ALDEN:

And unpaid.

CHAIRPERSON NOWICK:

Unpaid. And I'm proud to say Mr. Bordon is my appointee.

LEG. ALDEN:

Nice job, Lynne.

CHAIRPERSON NOWICK:

Joanne Steigerwald. On deck, did James D. Kelly, Jr.

MS. STEIGERWALD:

Hi. Good morning. My name is Joanne Steigerwald and I'm a resident of Yaphank. I'm here in support of Kate Browning's resolution, 1738, and I've spoken before you many times in the past also.

The one thing I wanted to bring up today was at last months •• well, I guess it is this month. The last meeting that was held, I believe it was August 2nd, the issue came up of if the resolution was voted for or against how long •• at what time frame would the facility be allowed to remain open. And I think Mr. Alden •• Legislator Alden had said it would take years and years for the facility to be shut down. And according to the vendor licensing agreement, page seven, I would like to read paragraph C.

It says, "Termination by County licenser in the public interest. Notwithstanding anything herein to the contrary in the event that the Commissioner of the Suffolk County Department of Parks, Recreation and Conservation determines in his or her sole discretion that termination is in the public interest, the County licenser may terminate this agreement. Such termination shall occur upon 30 days of notice to terminate the agreement."

So I don't see that it would take years and years. Also, on that same page, number four, paragraph three, it talks about an emergency condition. Loss of life, threat to health and safety and destruction of property or other condition and deemed to be dangerous in the sole discretion of the Commissioner. In that case it can be shut down immediately. And I think Parks Commissioner Foley had stated that there was a 1,200 foot section of fence missing so I would think that that would be a safety issue.

And then failure to comply with Federal, State or local laws, it can also be shut down by the Commissioner. Failure to comply with the paragraph entitled Hazardous Substances and Waste shall also be governed by this subparagraph. So there is •• it can be shut down in 30 days if not immediately, and I just wanted to bring that out today.

CHAIRPERSON NOWICK:
Legislator Alden.

LEG. ALDEN:
A couple of questions. Hi.

MS. STEIGERWALD:
Hi.

LEG. ALDEN:
You live like real close to the range, right?

MS. STEIGERWALD:
Yes, I do.

LEG. ALDEN:
Okay. And this, again, I don't know the question. When the builder built it, did he build a sewage treatment system in there or are you cesspools?

MS. STEIGERWALD:

I don't know. I'm not one of the original owners of the house when it was built.

LEG. ALDEN:

So you don't know if you have cesspools or not.

MS. STEIGERWALD:

I know that I have •• I think a cesspool.

LEG. ALDEN:

Oh, you have a cesspool.

MS. STEIGERWALD:

But I am not really quite sure.

LEG. ALDEN:

Okay. And I apologize for not making it real clear, but my statements the last time, I guess it was August second, but I'm a former trial attorney and as a trial attorney, if I represented, and I'm stepping aside from, you know, like being a Legislator at this point, but as an attorney, the County of Suffolk can do things, you can do things, people can do things. But as an attorney, if I was hired by somebody that was affected by that type of action, I can go to court and I can injunctive relief and that would be fine. The Commissioner says I'm shutting this down. Well, I can have a judge ordered I'm sorry, and that would supersede •• the order of the judge would supercede anything that came out of the Commissioner's Office and would allow my client to continue in business.

And that's why I made that statement that there's a possibility when you get into litigation, litigation can go on and on and on, so you could be looking at days or you could be looking at years before something could be resolved. That was the extent of what I said and what I meant by that and I'm sorry that I didn't make myself a little bit more clear, you know, when I made the statement originally. But as an attorney representing somebody that is affected, you know, you can go and get injunctive relief that negates or pushes off to a future date any action that's taken by a governmental entity. So that's what I meant by that.

MS. STEIGERWALD:

Right, and you're a lawyer and I'm not, but I'm just reading the licensing agreement and it seems pretty much black and white here to me.

LEG. ALDEN:

It is, but ••

MS. STEIGERWALD:

But you are right, I'm not a lawyer and you are.

LEG. ALDEN:

No •• but then when the person that's affected by that •• for instance, you know, they tell you you are not supposed to speed. So if you get a speeding ticket that doesn't automatically mean that the cop, you know, followed all of the procedures or that you were, in fact, speeding. If you want to go to the judge, you know, you can dispute that and sometimes you're right and sometimes you're wrong or found right or wrong by the judge. That's what I meant, though, that there would probably be some kind of legal action and that can drag on for, you know, sometimes vast amounts of time. That's what I meant.

MS. STEIGERWALD:

And I'm sure, I mean, not being a lawyer, but I'm sure there is, reading over the licensing agreement I'm sure there's statements in there that says there are certain conditions where he is unable to sue also. So, that's it.

CHAIRPERSON NOWICK:

Legislator Viloría Fisher.

LEG. VILORIA•FISHER:

I just need to put this on the record because you have said it twice and I want to make it clear that we are not in the agreement with it. And that is that you're saying that it is clear and it is black and white with regard to the licensing agreement that the County is in some kind of violation and I disagree with that, it's not black and white. And were it to be black and white, we wouldn't •• no one would be able to have a case here. It would be very clear and I don't believe it is. I don't believe that the County is in violation •• with regards to that licensing agreement.

MS. STEIGERWALD:

I was saying that the wording of the contract is in black and white. I wasn't

saying anything about ••

LEG. VILORIA•FISHER:

Shutting it down. I thought that your statement was that because of the licensing agreement that it's clear that we could close down the operation.

MS. STEIGERWALD:

If •• the question I was asking is if the 1,200 section of fence that is missing, wouldn't that be a public safety issue. If yes, it's a public safety issue, then anybody could walk on to the facility, that that would present a danger. Then I would think ••

LEG. VILORIA•FISHER:

Okay. And my point is that that's not black and white.

MS. STEIGERWALD:

Okay. That's a difference of opinion, then. That's fine.

LEG. VILORIA•FISHER:

Right. That's the point I was trying to make.

MS. STEIGERWALD:

Okay. Thank you.

CHAIRPERSON NOWICK:

Thank you. James Kelly and on deck is John Cushman.

MR. KELLY:

Good morning, ladies and gentlemen. I'm here to speak on behalf of the Brookhaven Trap and Skeet Range. Oh, I'm sorry. Can you hear me now? Let me move a little closer here because I'm too far away. I'm here to speak on behalf of the Brookhaven Trap and Skeet Range and I'm here to speak against bill 1738.

I believe that this bill starts on the wrong foot right from the get go. In the third whereas in this bill it says the shooting range was closed in 2001. That's not so. The range was closed in 2001 because there was no vendor. The vendor walked away.

In the fourth whereas it says that it is an environmentally sound •• an

environmentally sensitive Carmens River watershed and the whole bit. Whereas lead contamination by a shooting range could potentially threaten the groundwater. Well, it does or it doesn't. We all know that there is money to be made in mining that lead, so nobody's going to let it go. It is going to be done, there's money to be made.

The second resolved said that the operation of the public range is not in the public interest. I would disagree. The gentlemen beforehand said it's not pertinent to survival and it's not a hobby. But a young person going into the Marine Corps or the Army needs and should have the opportunity to learn how to shoot and fire a firearm. The best training today would be sporting clays. This is what gives a person a survivability rate in combat. As far as I'm concerned, that's the real no-brainer. Please remember that the NRA was founded in 1871 by ex-Union army officers because the average recruit couldn't hit the broad side of a barn.

I think when you think about young people this is a very important thing to take into consideration. We're not saying that young people should be forced to learn, but if they want the opportunity, by God this is what is going to help them in Iraq and Afghanistan and every other place. So to bring the kids up and here oh, my kids don't like the noise •• stop it. This will be life and death for somebody. The government has done studies on this. The {Ran} Commission did a very complete study on this and that's is why I mention it. It is life and death.

Now, this is also a constitutional issue because we have a constitutional right to keep and bear arms. And I believe that all of these issues that could potentially shut the range down have been discussed ad nauseam. Every possible safety environmental issue has been dealt with. There have been approximately four different surveys of the range. The only difference between the first and the last is the last one being done by the County Health Department was more complete because they start off in the assumption that you don't have that much knowledge about some of these issues and that's all it is and that's all the difference is.

So I ask you to •• don't try and amend this, end it. I ask you to vote this thing down and kill it in committee. Thank you very much for your time.

LEG. VILORIA•FISHER:

Thank you, Mr. Kelly. And Legislator Browning has a question for you, sir.

MR. KELLY:

Oh, I'm sorry. Forgive me. Yes.

LEG. BROWNING:

You're talking about our military men and woman and are you a veteran yourself?

MR. KELLY:

No, I'm not.

LEG. BROWNING:

Oh, okay. I just wondered if you were a veteran, maybe you knew something about the training. My husband has 28 years military experience, he just recently retired. He is a New York City Police Officer and my son is in the Air Force. And my son was in Afghanistan. My husband was also deployed a couple of years ago. And as far as military training is concerned, they are extremely well trained. And neither •• my son is a hunter and a shooter and so is my husband, and they don't depend on this sport to improve their skills. The military and the Police Department do provide that adequately.

MR. KELLY:

Well, in fact, they do not. And that's absolutely ridiculous. I won't go into •• I can't mention names, but I do know some of the crazy things that happen in the New York City Police Department because some of the people who trained me were instructors there at the academy. So, I don't want to besmirch anybody's reputation, but that's not so.

By the way, it was the {Ran} Commission that did a study on that. They did a very thorough study from all the American wars. So the bottom line is, is maybe your husband or your son has a different view on it, but not according to the study done by the government. Now, what they find is that when you have that experience with firearms before you go in, you are less of disciplinary problem, you're a better shot, and not only that, you save a lot of your fellow comrades more. In other words, the people around have you have a higher survivability rate. So, I mean, maybe your husband's experience is different, but somehow I don't think that stacks up to a full blown study by the government. Any other questions?

LEG. BROWNING:

Thank you.

CHAIRPERSON NOWICK:

Thank you. John Cushman. On deck, Lou Giordano.

MR. CUSHMAN:

We'll do this time standing up. Maybe my luck will be better. Thank you for the opportunity to address you again on this issue. My name is John Cushman. I'm the President of SAFE, Sportsmen's Association for Firearms Education. We have approximately 1,000 members. Seven•hundred and thirty belong and live in Suffolk County. The rest live in Nassau County.

I'm here to tell you unanimously that those thousand people want this range opened. It is from the shooters and the people who have never caused a problem before and we think it's appropriate for us to have a place for this recreation.

1738•2006, I'm opposed to it as written, as amended as of August 5th, because of the first and second resolveds. That resolved is to close the range and the second one is to cancel the contract.

Five years ago, Legislator Towle put a bill in to do exactly what this piece of legislation wants to do again today. We voted it down. We weren't opposed to you finding another place to have a range. We were opposed to you closing down the only facility that was available at the time and you've had five years to find another facility. Nobody has taking the time in the last five years to actually find this other facility. And you didn't need anybody's permission to do this, the County Legislature individually, severally, or even the people who want the range closed today, they could have at any time gone out and actually looked for another place.

Be that as it may, I have no problem with the legislation if you remove the first and second resolved. Do not close the range, do not cancel the contract. Let it continue to run. Look for •• create your committee as this legislation requests and do all of those other things. Once you find the place, if it's appropriate and you spend and you can convince your fellow Legislators on the full Legislature to spend millions of dollars to put it into effect to

actually built it just so that we can use it, again, we don't have a problem with that if your County Legislature says that's appropriate.

Then you can again spend whatever millions of dollars you again want to get from the County Legislature to close and bring the current range, which you would then close, up to the level of a park. And again, we don't have a problem with that. I have a problem with that as my tax dollars, as a general taxpayer, but from the shooters point of view, we don't have any problem with that at all.

We are opposed to you closing it. The fact that you've done nothing for five years only proves the point that I mentioned at the last meeting and I'm mentioning again today. There's no incentive for you or anyone else to actually do the job of finding another place to have for trap and skeet shooting. You've had five years of opportunities. You didn't use them. Now you want us to believe that if you close this facility down you'll somehow feel compelled to look for another place. We don't believe it.

Leave the range open. Find another place if you can. Build it, get it ready to operate, and we'll be more than happy to go along with that. But we think the only incentive you really have is if you keep the existing facility open for the benefit of thousands of trap and skeet shooters. Almost 1,000 people have used that range in less than a month. A thousand. How many will be doing it by the end of the two or three years that you actually get another facility up and running.

Thank you for your time. I don't mean to belabor the issue, and I'm sure you've heard every argument. I'm just hoping that, in fact •• one last point if I may. You might find that in all of these millions of dollars that you are going to request from the County Legislature to build a new facility and to take down the •• take care of the old one, you might find it cheaper to actually buy out all of the houses from the people who are complaining. That way the County can own the houses. Then they can sell the houses to people like me who don't have a problem living near a range. Thank you.

CHAIRPERSON NOWICK:

Thank you. Lou Giordano and on deck is Mitchel and Matthew Weygand.

MR. GIORDANO:

Good morning. My name is Lou Giordano. I'm Vice President of SAFE.

Sportsmen are opposed to this legislation because we shut down a facility that complies with environmental standards set by the State and County. Members of this committee have over the last four and five years have voted in favor of funding the range and environmental tests required by it. Now this legislation seeks to reverse all this work for what purpose? The range is environmentally safe as stated in recent tests by experts in their field both employed by the County and outside agencies hired by the County.

The County provides services for its taxpayers. Golfers and boaters have their respective areas for their activities. Bicyclists now have their own bike lanes on main roads. This is the only shooting facility that is provided by the County. The other ranges are either privately owned and too costly to join, other public facilities are over-crowded. The sportsmen rely on this facility for recreation the same way as other taxpayers rely on the County for their recreational activities. As taxpayers we deserve to be treated fairly.

This legislation also puts the County's credibility at stake. Contracts awarded to vendors •• if this contract is terminated, not only will it be costly money •wise, but also will send the message to other vendors, to other potential vendors, that the County cannot be trusted to honor any contracts.

The Legislature voted in favor to fund the range under the present vendor. Are you prepared to explain to your colleagues and taxpayers that you want to reverse your decision and tell them that the work for the last four and five years has been in vain.

The legislation is not in the best interest of the County, the County agencies and most •• the County agencies and most of all the taxpayers you represent. Can you expect the County taxpayer to fund the closing of the range for the benefit of few people who knew the range was there. In closing, I urge you not to support this legislation. Thank you.

LEG. VILORIA•FISHER:

Thank you, sir.

CHAIRPERSON NOWICK:

Thank you. Mitchel and Matthew. And on deck is Michael Weygand, and after that Marlyne Weygand. Does the whole family want to come up?

LEG. VILORIA•FISHER:

They could sit at the table.

CHAIRPERSON NOWICK:

You can all come up if you like.

MR. WEYGAND:

Mitchel Weygand. We don't like the range because it's loud and lead poisoning. We are not against guns. We love paint balling and bb shooting and we have a hunting dog, too.

MR. WEYGAND:

Matthew Weygand. We also like to play in the park. In Cub Scouts, in Boy Scouts, we like to camp there. It sounds like the Fourth of July. Now we do not like to camp there now. But most of all we don't like it is •• but most of all we don't like it is when we have friends come over it sounds like a war zone. We don't want the gun range in our backyard. How about you?

CHAIRPERSON NOWICK:

Thank you.

LEG. VILORIA•FISHER:

Thank you very much.

MR. WEYGAND:

Good afternoon. My name is Mike Weygand. This is my family. We live on 118 Gerard Road. The gun range has been open for approximately a month and like one gentlemen said, a thousand people. So imagine now being in your backyard and you hear well over 1,000 gun shots, constant, repetitively. My sons don't even want to be in the backyard because of this.

This is a hobby for these gentlemen, okay. They come from all parts of the County to have a hobby. It sounds like the legislation is more concerned about the vendor, okay, whether the vendor is going to sue or whether the vendor is going to have a hard time. Well, how about the 200 families that are there now? How about their quality of life, okay? We are not concerned about the vendor. They haven't been shooting for almost five years. They had to go somewhere to shoot for five years, okay.

We are members of the Civic Society, we are members of the community. Okay. As our representatives, we are asking you to fulfill or actually keep our

quality of life. My dog gets scared every time that the guns go off, okay. These boys don't want to go in their backyard. My five year old is saying Dad, I can't wait until we move out because of this, okay? They shouldn't have to do this.

This •• we were told that this gun range was closed indefinitely. Okay. Why should we have a bunch of hobbyists ruin the quality of our lives, okay, and I think that the Legislators should be more concerned about these 200 to 300 families than the vendor. Okay? I know you like to have side conversations with the vendor, okay, but this is our quality of life that you're talking about. Thank you.

LEG. ALDEN:

I have a question.

CHAIRPERSON NOWICK:

Yes. I also had a question. I believe you just said that we were told that this would not open up?

MR. WEYGAND:

We were told it was indefinitely closed.

CHAIRPERSON NOWICK:

Okay. Who told you that?

MR. WEYGAND:

We spoke to I believe the Town of Suffolk.

CHAIRPERSON NOWICK:

The Town of Suffolk. Is that a town?

LEG. ALDEN:

Give him a chance to get it right.

CHAIRPERSON NOWICK:

Is it the County of Suffolk?

CHAIRPERSON NOWICK:

Do you know who you spoke to at the County of Suffolk?

MR. WEYGAND:

No, I wish I did. In 2003 before we purchased the home they told us it was indefinitely closed. And I'm telling you right now, I wouldn't have bought the home if I would have known that this thing was open. Okay. I have three neighbors of mine already have houses for sale in the neighborhood and they are already talking about a substantial 20 to 30% haircut off of that because of that.

CHAIRPERSON NOWICK:

It wasn't the real estate person that went to the County, you ••

MR. WEYGAND:

We talked to the County.

CHAIRPERSON NOWICK:

•• made calls yourselves, but you don't know who you contacted.

MR. WEYGAND:

Well, no. It's three years. And they said it was no, it was indefinitely closed. On the front of the building it said indefinitely closed, okay. So, I'm telling you now, we're not a greedy homeowner like some of our opposition says. If I had known •• I paid top dollar for that house. If I had known it was going to open I would have never have bought it, okay. So it is not about whether we made a profit, because last time one person said well, we heard about people in Yaphank making profits.

I'm telling you, I was never involved in the Civic Society until I moved to this house. I lived in the next town over, East Patchogue. And we moved over there because we thought we were increasing the quality of our life, moving into a bigger and better home, not because we were looking for a windfall. Thank you.

CHAIRPERSON NOWICK:

I'm just trying to jar your memory just a little because I'm trying to figure out when you went to call the County, did you take out a phone book and look up Parks or did you speak to your representative or •• because when it says indefinitely closed, of course that doesn't mean it's never going to open. That means they don't know when it's going to open or •• do you have any idea? I think we're all kind of curious.

MR. WEYGAND:

No, we just called the County. I know some of our neighbors also called specific County Legislators. I believe it was Legislator Foley. Okay. But all I know is that they portray us to be greedy homeowners. We are not greedy homeowners, okay? If this site, okay, was open or was to reopen, we would have never moved in there. I have neighbors now all in •• up in arms, and you are like, well, you see the same faces. Well, a lot of people work and they can't make it. We have signed •• we have thousands of petitions, the same as they do, but theirs is probably scattered all across Nassau and Suffolk whereas ours is centralized in the local neighborhood.

We're talking about people's quality of life are being ruined, okay. I have one neighbor next door to me, he goes last Sunday was horrible. I had people over, we had a family reunion, we couldn't even stand in our backyard. We had to go inside because of this noise, okay. It's not right that you can't even have a family reunion in your backyard because of a thousand gunshots going off or whatever. But Sunday is the worst. Okay, so just think now, you in your backyard on Sunday, trying to enjoy your Sunday paper and reading the newspaper and all of a sudden you can't stand the noise it is so horrible, so horrible that you have to go inside your house.

So now we are trying to stop this, okay. And it's not just me, it's my other neighbors. I live on a small little block. There is only four houses, and I'm telling you, the money that you are generating in taxes, excuse me, from the revenue from the vendor, we are paying more than that in taxes from four houses.

CHAIRPERSON NOWICK:

Were any of the houses in your neighborhood sold yet?

MR. WEYGAND:

No, but there is for sale signs all over the place now, and it shouldn't be that way.

CHAIRPERSON NOWICK:

Legislator Alden, did you have a question?

LEG. ALDEN:

How far away do you live from the ••

MR. WEYGAND:

Less than an eighth of a mile.

LEG. ALDEN:

Okay. And you mentioned you're on like a court?

MR. WEYGAND:

I'm on a private road

LEG. ALDEN:

Private road? And do you know if the builder put a sewage treatment plant in there?

MR. WEYGAND:

No, I have cesspools.

LEG. ALDEN:

You're on cesspools?

MR. WEYGAND:

I don't believe there's any sewage treatments in the area.

LEG. ALDEN:

Okay.

CHAIRPERSON NOWICK:

Okay. Thank you.

MR. WEYGAND:

Thank you.

CHAIRPERSON NOWICK:

Did you ••

MS. WEYGAND:

Yes, I have one also. My name is Marlyne Weygand. This is my family. I don't like the noise either, but when Richard Amper had his news conference where he announced a lawsuit against Suffolk County and the Pine Barrens Commission he said something that I can't get out of my head. It's been in the reports, I've read it before and I'm sure everyone else has, but I think it

should be said again, slowly, so that everyone here can't pretend that they missed it.

All the wells in Southaven Park were tested and they all came back zero or very close to zero except for the one •• two of the wells on the trap and skeet. They came back at 20. I believe the gage is parts per billion, but that's not really relevant. What is is they came back at 20. At 25 you're contaminated. So they're at 20. That's 80%. We're 80% on our way to being contaminated versus almost zero everywhere else in the park. How is that not significant? How is that not contamination?

The second gentleman that spoke said it would be 7.3 million to clean up, but there's no contamination. How can you say both? Eighty percent versus zero everywhere else. How can that be all right and how can it be okay to open it up and add more lead. Close it.

LEG. ALDEN:

You want an answer to that?

MR. WEYGAND:

Yes, let's hear an answer.

LEG. ALDEN:

And this is just generic, it's not specific to that. The Federal Government and New York State Government established certain acceptable levels of contamination. And I'll go into •• even cesspools. So you guys are all discharging into the aquifer ••

MS. WEYGAND:

Oh, is that all that's going towards. Okay.

LEG. ALDEN:

No, no. Just as a point of information. You're all discharging into the aquifer. So when you throw in or somebody by mistake dumps, you know, some chemicals that they've used in the house, maybe you had an ant problem or you had, you know, you sprayed at the wasps or something like that and you got rid of it or you had a chemical that you were cleaning something with, you dump that in there. That, actually, if you get downstream from your house right after you dump that, you are going to test, you know, like •• or the water is going to test in probably an

unacceptable range for that type of contaminant.

So that's where •• and the government establishes, and it's a fairly small band, that this is acceptable and if it goes outside of that range it is unacceptable or it would be dangerous for human consumption. So that's just a generic explanation of, you know, like why if there is a presence, it's still not a presence that the government, your United States Government, feels will do anything as far as your health, will influence your health in a negative way.

MS. WEYGAND:

Okay, but we're 80% of the way there. If we were in school with a candy drive and they had the big thermometer on the wall, 25 is our goal of contamination, we are already up to 20. Woo•hoo. Yeah us.

LEG. ALDEN:

You know what? That's the bad news. The good news is that those deposits of lead or whatever, the shot, that's been going on for almost 100 years and it's only ••

MS. WEYGAND:

It keeps getting longer. Every time someone says this it gets longer.

LEG. ALDEN:

You know what? Let me withdraw that, then, and I'll say it has been going on for a number of years, more than three, four decades, is that fair to say?

MS. WEYGAND:

Okay. That's fair.

LEG. ALDEN:

Okay. More than three or four decades which would be plenty of time for something to leach into the groundwater and test so, that's the good news on top of the bad news. The bad news is that, you know, we're showing levels. The good news is that it's not •• it hasn't risen to the point where it's a health hazard. And the other good news is that with the amount that's, you know, supposedly been deposited there, it hasn't risen to a huge number in over four decades.

MS. WEYGAND:

Zero versus 20 I would say is a very big discrepancy.

MR. WEYGAND:

So we have to wait until it's 25 and then you'll have to do something then.

MS. WEYGAND:

Then we are legally bound.

LEG. ALDEN:

Well, actually, you know what? If it gets to the point where it's dangerous, it's going to be shut down. But it hasn't gotten there •• my point is it hasn't gotten there in 40 years.

MR. WEYGAND:

So we have to wait until our children are being affected ••

LEG. ALDEN:

It hasn't gotten there in 40 years. And I do resent some of your side comments, but I'll let it go.

MR. WEYGAND:

I don't like •• resent while we are making presentations that you go over and ••

LEG. ALDEN:

While you were making a presentation I was sitting here listening to you and your sons and your wife, so don't start with me.

MR. WEYGAND:

When the people who were sitting over there making their presentation, you are sitting over there talking on the side•bar with the vendor.

LEG. ALDEN:

Who was making the presentation? One of the gentlemen from the rifle range.

CHAIRPERSON NOWICK:

I think that right now I'll call the next person.

MR. WEYLAND:

You know what? Why don't you just look at what the people are doing, not what the NRA is going.

CHAIRPERSON NOWICK:

I'm going to call the next person that would like to speak. Thank you. Georgia Maas. Thank you.

MS. WEYGAND:

Thank you.

MS. MAAS:

Good morning, everyone. Suffolk Trap and Skeet Range at Southaven County Park has been established for over 50 years and has been nothing but a good neighbor to the community, providing jobs as well as support for other businesses in the area. For example, restaurants, gas stations and much more. Not one single accident has occurred. Respecting the environment with test after test proving no lead poisoning to the groundwater. Tests have also shown that the range has not exceeded the noise ordinance.

If the range were a soccer field instead and the neighbors did not want to hear the noise or put up with the traffic, would wait for an opportunity to close it. I am sure they would because this is what has happened to the trap range.

Because the vendor did not want to pay his bills or for whatever reasons were going on, the County removed him and rightly so and was looking for another vendor. One Suffolk County Legislator and a few not so good neighbors, decided they did not want the range in their community any longer because they did not like guns. Between lies after lies about the range, going back and forth between the County government and the community, it has taken five years to reopen what was not closed but temporarily stopped from operations to find another vendor.

I'm greatly disturbed by everything that has happened to this trap range and

wonder what will be next that one or some Legislators or the neighborhoods or the communities who either don't care to get the facts or are just anti to whatever is legal and safe for all people involved, and what will be relocated, banned or closed next. Thank you for your time.

CHAIRPERSON NOWICK:

Thank you. That concludes the public portion of this meeting and we are going to go on to the agenda at this point.

Tabled Resolutions

1464, Establishing the "Suffolk County Parks Corps" Volunteer Cleanup Program. (Romaine)

LEG. ALDEN:

For discussion purpose I'm going to make a motion to approve

CHAIRPERSON NOWICK:

Second.

LEG. COOPER:

Motion to table.

CHAIRPERSON NOWICK:

Motion to table by Legislator Cooper. Do I have a second?

LEG. BROWNING:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Browning. All in favor? Opposed?

LEG. ALDEN:

On the motion.

LEG. VILORIA•FISHER:

On the motion.

CHAIRPERSON NOWICK:

On the motion, Legislator Alden.

LEG. ALDEN:

Actually, I'll defer to Legislator Vilorio•Fisher because she's the one that put the initial legislation in that created this almost like friends of parks type thing and I thought that this would augment what she had originally done. And there was going to be a little bit of a discussion, I think, between her and the sponsor or her and the ••

LEG. VILORIA•FISHER:

Well •• thank you for deferring, Legislator Alden. And when I looked over my park stewardship program resolution of 1999, although that park stewardship resolution dealt directly with one school district, it did have a whereas that expanded it to dealing with a number of different entities with which the County could form a relationship. In fact, Legislator Crecca had used that particular resolution for •• as a pattern to create the stewardship relationships.

Now, Commissioner, did you have a comment •• you look like you were about to say something.

COMMISSIONER FOLEY:

I'm listening. I'll comment when you're done.

LEG. VILORIA•FISHER:

I'm done.

COMMISSIONER FOLEY:

Okay. Well, I read it more narrowly than that. I'll go back and look at it again. I don't have any problem with the concept of this. It's similar to what you put forward. I think it's the Legislature's decision how you want us to go forward. Either we base future relationships on the 1999 resolution or this type of resolution.

CHAIRPERSON NOWICK:

Legislator Cooper.

LEG. COOPER:

The issue that's been before us since •• I think it was May, everyone here is in support of this concept. But number one, I've been on the assumption that we have a parks stewardship program. I think at Froehlich Farms Park

we have parks stewards and they are very active and •• but in any case, if we have an existing program, I thought that the idea was for the sponsor of this resolution to reach out to you and see if we can fold this concept into the existing resolution so we don't have to have a separate program, just as I did recently with my resolution to create a naming •• a committee for naming of County facilities in parks and roads.

Legislator Nowick pointed out rightly that we already had a committee in place with a somewhat different goal, but the two goals complimented each other and I decided to amend the existing resolution and we expanded the role of that previously enacted program.

So, I mean, either we have a stewardship program or we don't. If we do, then the idea was do we need to have this resolution or was that goal already accomplished by the existing program or alternatively, should we expand the role of the current program.

COMMISSIONER FOLEY:

We have a number of stewardship arrangements or relationships with a variety of groups. Each one of those is enabled by a separate resolution and a separate stewardship agreement specific to the property and the group we're talking about. I think what was •• and the last time I talked to Legislator Romaine about this was before he first filed the resolution. And my understanding of his concept was this would be a much more broadly based thing, not necessarily requiring a stewardship agreement.

He and I were not clear on the mechanism by which this would occur. But it was I think in his mind less formal, more ad hoc volunteer groups doing small projects versus formal groups having an extensive contract with us.

LEG. COOPER:

I don't see how we could do this without having a more formal arrange •• we can't have ad hoc volunteers on a piecemeal basis doing projects or not doing projects in our County parks. I'm concerned about liability and I think that could lead to a lot of problems.

I think that whatever we do may be more time consuming, but I think that if we are going to set up individual park stewardship programs of any type for individual County parks with local volunteer organizations, I think you need some sort of a formal agreement with them. So I'm sure this is well

intentioned, but I'm just concerned that practically it would open ourselves up to some real problems down the road.

COMMISSIONER FOLEY:

He and I talked about the concepts. We did not gets into the mechanics of it much at all and many of your points are right •• well, they are all right.

LEG. COOPER:

And, again, there has been a request for months that the sponsor reach out and try to work this out with the Parks Commissioner. And •• because we've all gone on the record as supporting the concept, but to my knowledge nothing's been done. So I think we are where we were back in May. I'm making a motion to table once again hoping that the sponsor will reach out and try to reach some accommodation.

CHAIRPERSON NOWICK:

Legislator Alden.

LEG. ALDEN:

Well, in my mind what we've done is wasted a whole season that we could have had individuals helping out in the Parks Department at different parks which actually we need a stewardship program. We have a formal one, thanks to Vivian, that would have groups come in and work. This •• the thought behind it was to provide individuals an opportunity that if they wanted to walk in and, you know, like we hire seasonals. If they want to walk in and they want to do like good for the parks, that they can basically sign up, volunteer, and do some kind of good for the parks.

But I will take the one statement that the Commissioner said and also the realization that we're at pretty much the end of season, I think that the sponsor really does have to talk to the Commissioner. There's probably one little, you know, piece missing here and that would be a formalization of somebody being able to walk in there and either sign up or alleviate some of the concerns you had about maybe liability and things like that.

I think •• I'd like to see this implemented, but maybe if •• I'll call the sponsor and I'll tell him exactly what we have been saying here and what the concern is and see if he can work it out with the Commissioner. So I'll go along with the tabling for this.

CHAIRPERSON NOWICK:

Legislator Vioria Fisher.

LEG. VILORIA • FISHER:

It's very, very important that we be very clear that we are •• from the very moment that I became a Legislator, and I was fortunate enough shortly after being elected being the Chair of the Parks Committee at that time. And Commissioner Frank approached me with regards to a stewardship program because we were buying more and more acreage but not hiring enough people to steward them.

And I went before, Commissioner, I met with the Park Trustees and some of the concerns that are being enumerated here were discussed •• I discussed with the Park Trustees. This is why we went the route of a very formal case by case partnership, because of liability issues, because of people perhaps going into a •• if it's an ad hoc basis where there's not a formality, anybody could say I'm a volunteer in this park and pose as, you know, somebody who has some kind of authority at a park and is working as part of the Suffolk County Parks Corp. Without some kind of hold and formality and codifying of where these parks volunteers could be working, what their responsibilities or •• and when you're a volunteer, once you volunteer and you have committed to something, then you're taking on a responsibility. We also don't want people going into the parks and trampling maybe places where they shouldn't be. You know, I'm on the Invasive Species Task Force and so we have issues there with the introduction of invasive species.

And so the way we have been doing the stewardship program, which is entering into agreements with a variety of groups who may have some training, who will have their goals and their activities restricted or defined, I think this is the way the Park Trustees had recommended that I move forward when I was looking at this in 1999, and I think it's proven to be a very good model.

So although, as has been stated before, we are all in agreement with this, there's a need, but perhaps the spirit of this might be undertaken in as much as we might advertise that we're •• there might be more of an educational effort or an outreach effort to encourage groups to come forward and enter into stewardship agreements with the County rather than try •• then reinventing as this is doing, because I don't believe that this achieves that goal.

CHAIRPERSON NOWICK:

Legislator Cooper.

LEG. ALDEN:

Madam Chair, I'm going to withdraw •• I just want to withdraw my motion to approve.

CHAIRPERSON NOWICK:

Okay. Legislator Cooper, do you still want to speak?

LEG. COOPER:

Just a couple of really quick things. Number one I do think that it's important that the Parks Department, as Legislator Vilorio•Fisher said, that the Parks Department sign off on any proposed volunteer activity. It's possible that although well intentioned, it may conflict with a goal that the County may have for a particular park.

Anyway, beyond that I also would like to see that the volunteers, that the stewards be issued some sort of identification, a badge that they can wear or something. So if they're in the park and they are cutting down trees or removing graffiti or telling someone to, you know, move a car that's parked in there where it shouldn't be parked, that the public understands that they have some authorization from the County to do so. I don't know that that's in the current program. I don't think it is.

COMMISSIONER FOLEY:

See, the more we talk the more we kind of exhibit how difficult this is. I would never have a volunteer tell somebody to move their car or take any kind of directive authority over a park patron. Call 911. That's the job of the police or that's the job of our employees. And every time we do one of these volunteer arrangements we have to be very careful what authority we give people and ask them to do.

LEG. COOPER:

Well, that's why we have to delineate very carefully what they can do and cannot do, because it could be problematic for the County and it could be problematic for the volunteer.

COMMISSIONER FOLEY:

This is a great idea, but it's not a simple idea.

LEG. VILORIA•FISHER:

Exactly.

COMMISSIONER FOLEY:

Maybe we can find a way do it, I don't know what that is yet. The department would have to work closely with the County Attorney's Office and Risk Management to make sure whatever we do touches all of these bases we have to be careful of.

CHAIRPERSON NOWICK:

Okay. Legislator Alden is going to withdraw his motion to approve and Legislator Cooper has made a motion to table. Seconded by myself. All in favor? Opposed? **1464 is tabled. (Vote: 5•0•0•0)**

1738, Directing the Department of Parks, Recreation and Conservation to cease operation of the trap and skeet shooting range at Southaven County Park, Town of Brookhaven. (Browning)

LEG. BROWNING:

Motion to approve.

CHAIRPERSON NOWICK:

We have a motion to approve by Legislator Browning. All in favor?

LEG. VILORIA•FISHER:

There's no second.

CHAIRPERSON NOWICK:

Oh, I'm sorry. Is there a second to that motion?

LEG. VILORIA•FISHER:

Okay. Madam Chair, because I believe that this should go before the full Legislature for a vote, I'm going to make a motion to discharge without recommendation.

LEG. COOPER:

I'll second that motion.

LEG. ALDEN:

On the motion.

CHAIRPERSON NOWICK:

On the motion, Legislator Alden.

LEG. ALDEN:

I'll ask this to our Counsel first. In this resolution, and maybe it's just because I'm an attorney, but I see a couple of statements in there that are possibly going to cause a negative affect on the County's legal position. And I would like a comment •• I would like a comment on that.

There is declarations in the whereas clauses, and there is also declarations in the resolved clauses that can be legally interpreted as contrary to the County's own interest.

MR. BROWN:

May the Chair recognize the Law Department?

CHAIRPERSON NOWICK:

Yes.

MR. BROWN:

Thank you. Dennis Brown, for the record, Law Department. My only comment would be if there are going to be •• is there going to be any discussion with the whereas clauses or the resolved clauses of the resolution and how they might relate to the pending action, that they be held in executive session.

LEG. VILORIA•FISHER:

Which we did once before.

MR. BROWN:

There's a lawsuit pending now which was filed on Friday.

CHAIRPERSON NOWICK:

Yes. Could we have a comment by our Counsel, please?

MR. BARRY:

With respect to the old whereas clauses that the County Attorney has objected to, those have been removed in the amended copy. But to answer Legislator Alden's question, there are some potentially legally troubling aspects of this, including termination of contracts that have already been entered into.

LEG. ALDEN:

Right. So ••

CHAIRPERSON NOWICK:

So from what I'm understanding is that there are some legal problems here?

LEG. ALDEN:

I'm going to go ask for executive session before we vote on this because there is implications that we all should be aware of before we go and vote on this •• and even to discharge it has a legal significance.

CHAIRPERSON NOWICK:

If it would please the committee, would it •• could we just put this on hold until the end of the meeting and just continue the rest of the agenda? Would that be all right with everybody? And then we'll be going into executive session and then we'll take 1738. So we are going to go to Introductory Resolutions.

Introductory Resolutions

1930, Authorizing the use of Smith Point County Park property, Cathedral Pines County Park, Southaven County Park, and Smith Point Marina by the Long Island 2 Day Walk to Fight Breast Cancer Inc., for Breast Cancer Walk. (Browning) Do I have a motion by Legislator Browning.

LEG. BROWNING:

Motion to approve.

LEG. COOPER:

Second.

LEG. ALDEN:

I'd like to second that.

CHAIRPERSON NOWICK:

Excuse me once second. Counsel has a ••

MR. BARRY:

Can I check with BRO to see if there has been a fiscal impact statement filed with that?

CHAIRPERSON NOWICK:

When is this for, Kate?

LEG. BROWNING:

It's not a problem. We can table it. It's not until, when, July?

LEG. ALDEN:

It's next year.

MS. MOSS:

For IR 1930 BRO did submit a fiscal impact statement, yes.

CHAIRPERSON NOWICK:

Okay. Motion by Legislator Browning.

LEG. ALDEN:

Second.

CHAIRPERSON NOWICK:

Second by Legislator Alden. All in favor? Opposed? **1930 is approved.**
(Vote: 5•0•0•0)

LEG. ALDEN:

If I'm not listed as a cosponsor I'd like to be listed as a cosponsor.

1953, Linking County Park fees for veterans to park fees for senior citizens. (Cooper)

LEG. COOPER:

I'd like to make a motion to table, working the assumption that the Parks Trustees have not yet signed off on this.

COMMISSIONER FOLEY:

I at least now have a draft.

CHAIRPERSON NOWICK:

Motion to table by Legislator Cooper, second by Legislator Vilorio•Fisher. All in favor? Opposed? **1953 is tabled. (Vote: 5•0•0•0)**

1957, Amending the 2006 Capital Budget and Program and appropriating funds in connection with roof replacement at Meadowcroft County Park, Sayville (CP 7510). (Lindsay)

LEG. COOPER:

Motion to approve.

CHAIRPERSON NOWICK:

Motion to approve by Legislator Cooper. Seconded by myself. All in favor? Opposed? **1957 is approved. (Vote: 5•0•0•0)**

1974, Amending the 2006 Capital Budget and Program and appropriating funds in connection with the installation of cash control and security at Suffolk County Park Facilities (CP 7186). (Alden)

LEG. ALDEN:

Motion to table.

LEG. COOPER:

Second.

CHAIRPERSON NOWICK:

Motion to table by Legislator Cooper. All in favor? Opposed? **1974 is tabled. (Vote: 5•0•0•0)**

1975, Amending the 2006 Capital Budget and program and appropriating funds in connection with a cash control pilot program

at the Suffolk County West Sayville Golf Course (CP 7186). (Alden)

LEG. ALDEN:

Motion to table.

CHAIRPERSON NOWICK:

Motion to table by Legislator Alden.

LEG. COOPER:

Second.

CHAIRPERSON NOWICK:

A second by Legislator Cooper. All in favor? Opposed? **1975 is tabled. (Vote: 5•0•0•0)**

1987, Appropriating funds in connection with improvements to County campgrounds (CP 7009) (County Executive)

LEG. COOPER:

Motion to approve.

LEG. ALDEN:

Second.

CHAIRPERSON NOWICK:

Motion to approve by Legislator Alden, second by Legislator Cooper. All in favor? Opposed? **1987 is approved. (Vote: 5•0•0•0)**

1988, Appropriating funds in connection with improvements at County golf courses • Timber Point (CP 7166). (County Executive)

I'll make the motion to approve. Second by Legislator Viloría•Fisher. All in favor? Opposed? **1988 is approved. (Vote: 5•0•0•0)**

1989, Appropriating funds in connection with improvements to water supply systems in County Parks (CP 7184). (County Executive)

LEG. VILORIA•FISHER:

I'll make a motion.

CHAIRPERSON NOWICK:

Motion by Legislator Vilorio•Fisher.

LEG. BROWNING:

I'll second.

CHAIRPERSON NOWICK:

Second by Legislator Browning. All in favor? Opposed? **1989 is approved. (Vote: 5•0•0•0)**

2006, Authorizing use of Southaven County Park by Contractors for Kids for their Picnic and Barbecue Fundraiser. (County Executive)

LEG. BROWNING:

Motion to approve.

LEG. ALDEN:

Second.

CHAIRPERSON NOWICK:

Motion to approve by Legislator Browning, second by Legislator Alden. All in favor? Opposed? **2006 is approved. (Vote: 5•0•0•0)**

2007, Authorizing use of the Long Island Maritime Museum by the Children's Foundation of Suffolk for their Annual Pig Roast Fundraiser. (County Executive)

LEG. COOPER:

Oh, I have to have this one. Motion to approve. It's a pig roast. I love pig roasts.

CHAIRPERSON NOWICK:

Motion to approve by Legislator Cooper. Seconded by myself. All in favor? Opposed? **2007 is approved. (Vote: 5•0•0•0)**

2021, Waiving beach fees during periods of oppressive weather conditions. (Romaine) Do we have a fiscal impact on this?

MS. MOSS:

I'm sorry. Which one was that?

CHAIRPERSON NOWICK:

This would be 2021.

MS. MOSS:

Yes, there is.

CHAIRPERSON NOWICK:

There is, okay. Motion to approve by Legislator ••

LEG. COOPER:

Motion to table.

CHAIRPERSON NOWICK:

Motion to table ••

LEG. VILORIA•FISHER:

I'll second that.

CHAIRPERSON NOWICK:

•• by Legislator Cooper. Seconded by Legislator Viloría•Fisher. All in favor?
Opposed? **2021 is tabled. (Vote: 5•0•0•0)**

LEG. ALDEN:

Just for the record, though. I think there's a couple of legal problems with it and I think that the Commissioner had some suggestions, too. So when I'm talking to Legislator Romaine about the other thing, I'll tell him about 2021 also.

CHAIRPERSON NOWICK:

Thank you, Legislator Alden. Okay. I am now going to make a motion •• did you want to say something?

COMMISSIONER FOLEY:

No. The only thing I was going to point out is this has not been before the Trustees and I think the Charter says it must before you deal with it.

CHAIRPERSON NOWICK:

Okay. So this has been tabled.

LEG. VILORIA•FISHER:

Right.

CHAIRPERSON NOWICK:

Okay. I'm now going to make a motion to go into executive session. Second by Legislator Alden. And we will go in the other room and we will come back. Could you turn off the mikes, please.

LEG. ALDEN:

But also, you might want to include, you know, some of our Legislative Aides, the Commissioner if he wants to come in, and anybody from the Law Department that they deem fit or deem appropriate to come in.

CHAIRPERSON NOWICK:

Certainly.

(Executive Session 12:03 PM to 12:18 PM)

CHAIRPERSON NOWICK:

Okay. We are back from executive session and we legally discussed resolution 1738 and we have a motion and second. We have a motion to discharge without recommendation by Legislator Browning and ••

LEG. VILORIA•FISHER:

No, no, no, no. Viloría•Fisher.

CHAIRPERSON NOWICK:

By Legislator Viloría•Fisher. Seconded by Legislator Cooper.

LEG. ALDEN:

On the motion.

CHAIRPERSON NOWICK:

On the motion, Legislator Alden.

LEG. ALDEN:

1738, there's a portion of it that I actually support Legislator Browning and will support Legislator Browning if something happens to this resolution because it looks like it is going to get discharged from committee.

The portion that I do support, and we've had some testimony where people have stepped forward, volunteered their time at no cost to the County to help out if we want to look for another place, but they want this trap and skeet to stay open while we look for another place. Not to be stalled, not to be put off as they have been in the past. And I think that's a legitimate request on their part and I think that we should honor our commitment that we made over the past four or five years to folks that we were going to open up this trap and skeet range again to provide the opportunity that they have had there for a number of decades.

I have a great amount of sympathy for the people that came down here. And I do understand their problem, but I do have a little bit of a problem with some of the testimony. And part of the testimony is, and I really feel bad if this did happen, if somebody called a County official and they were told anything but the truth, then I really feel bad and that County official has a lot of explaining to do, I believe, to the community and should be able to take a look in the mirror and decide what they are going to do in the future as far as giving misinformation.

The other part of the problem I have •• I have heard about, you know, the properties now, that there •• it's a residential area, well, it appears from the testimony that it was only slightly residential because there is only a couple of houses in the documents that I looked at that go back to the beginning of the trap and skeet range.

Then we have the other part of it, that people moved to the nuisance, so to speak. And the LIE, that's a nuisance. Railroad tracks are a nuisance. An airport is a nuisance. The Islip Speedway was a nuisance. But when you move towards it when it's in existence and you move to it or you move in earshot of it and you're affected by, then that's your problem as far as I'm concerned. Do your due diligence, and unfortunately, if you glossed over it and you didn't get all the answers that you should have gotten or you got them from the wrong people, that's your problem also because unfortunately we have more and more of this where the individual is never held accountable for any of their actions.

And now I have another little problem that is maybe a little bit of a tangential type of problem, but people are coming and I'm hearing testimony and some of it, okay, fine, it is legitimate testimony. But when you start talking about, you know, like pollution and this is over our main aquifer and all this kind of

stuff. Well, we had testimony today and I didn't know the answer until today. None of these houses are hooked up to a sewer system. They discharge directly into the groundwater that they are sitting on. They are sitting on top of groundwater that has to supply all of us with water.

I find that greatly disturbing to come here and me that I've acted irresponsibly in putting or allowing the trap and skeet range to reopen when you're discharging into the groundwater that I rely on and that future generations will rely on. So that's just a little bit of a tangent that we went off on just now, but I do find it •• I resent the fact that allegations were made about me and that I didn't do due diligence and that I didn't listen to the people that are in that area. And yet look at the actions that the people that live in that area have taken. And I'll extend that a little bit further.

Look at the actions that the builders took and look at the actions that maybe Brookhaven Town who gave the permits to build in that area. So that's another level of government that has nothing to do with us in Suffolk County and maybe they all acted, including some of the people that built houses in there, irresponsible to our drinking water which future generations are going to rely on more and more.

So with that being said, I do not support this resolution at all. I believe, and maybe Counsel has a idea different idea on this, but I believe that we're going to be making a statement that's detrimental to the financial condition of Suffolk County, detrimental to the people of Suffolk County, and can financially impact them if we approve this or discharge it from this committee. So I am wholeheartedly opposed to this resolution going anywhere.

CHAIRPERSON NOWICK:

Legislator Vilorio•Fisher.

LEG. VILORIA•FISHER:

Thank you, Madam Chair. Many of you have spent many hours here before us. And because of that, I have made a motion to discharge without recommendation so that this particular resolution would go before the entire Legislature. Our meeting is an afternoon meeting next Tuesday and I am going to ask, with the permission of the Chair of this committee, I'm going to ask our Presiding Officer to take this particular resolution out of order.

Many of you will probably be here to speak and perhaps when we reach a point where we can take this out of order and vote on it, and we have reached a conclusion, some of you will have the ability not to have to wait hours to speak before this Legislature and you will have a conclusion as early as we can legally have that conclusion for you.

I just think out of respect for the hours that you have put in here and out of respect for I feel the sincerity of the testimony that I've heard on both sides of this issue, and you can have good people disagree, and we all look at things from our perspective and neither •• it doesn't demonize either person on either side of that perspective.

So I have respectfully made the motion to discharge without recommendation so that all 18 Legislators can vote this up or down once and for all this coming Tuesday.

CHAIRPERSON NOWICK:

Legislator Alden.

LEG. ALDEN:

I have to make one more disclosure. When I played football at Islip I was a quarterback and Louie Giordano was our guard on both offense and defense so he actually protected me a few times from taking some major hits so I want to thank him now for that, but it's not going to influence my vote. He was a hell of a football player, too.

CHAIRPERSON NOWICK:

Is there anyone else that ••

LEG. BROWNING:

Very briefly, and I know what the word briefly means.

CHAIRPERSON NOWICK:

Okay. Legislator Browning.

LEG. BROWNING:

Okay. I will be brief. I do want to thank everyone for coming from the Yaphank Civic. I do want this bill to move out of committee. It needs to go in front of the 18 Legislators to make that decision.

I do have some questions of the Park Commissioner, and I will request the Park Commissioner be here next week to answer some of those questions so that they can be answered in front of the full Legislature. Thank you.

CHAIRPERSON NOWICK:

Now we have a motion to discharge without recommendation to the full Legislature. I have to be very honest with you. My feeling is that today would be the day to vote this up or down in fairness to all of you that have come here meeting after meeting after meeting. I think it would be merciful at this point to do it now, rather than to drag all of you back out on Tuesday, if that's your wish.

I do not believe we're doing the right thing discharging without recommendation. For me it would be a lie to you to support that motion, so I am going to oppose it. However, we do have a motion and a second, and I would like to ask all in favor? Opposed?

LEG. ALDEN:

Opposed.

CHAIRPERSON NOWICK:

That motion is passed and it is discharged without recommendation. **(Vote: 3•2•0•0 Opposed: Legislators Nowick and Alden)**. Do I have a motion to close the meeting?

LEG. COOPER:

Second.

CHAIRPERSON NOWICK:

Motion by myself, second by Legislator Cooper.

LEG. ALDEN:

Before •• put on the record what date and what time. There's not a normal meeting on next Tuesday, it's a four o'clock p.m. meeting right here so you'd have to get here a little bit before four o'clock to sign up for the public portion.

CHAIRPERSON NOWICK:

Thank you.

(THE MEETING CONCLUDED at 1:37 PM)
{ } DENOTES SPELLED PHONETICALLY